



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7

Inventor: Steven Allen Toelke et al.  
Serial No.: 10/087,277  
Filing Date: March 1, 2002  
Title: "ADJUSTABLE PEDAL BRAKE, CLUTCH AND ACCELERATOR PEDALS"  
Examiner: Justin Stefanon  
Art Unit: 3682

**TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Petitioner, Dura Global Technologies, Inc., having a principal place of business at 2791 Research Drive, Rochester Hills, Michigan, 48309-3575, represents that it is the assignee of the entire interest in patent application number 10/087,277, filed March 1, 2002, for "ADJUSTABLE BRAKE, CLUTCH AND ACCELERATOR PEDALS", as indicated by the assignment records of the U.S. Patent and Trademark Office at Reel 011050 /Frame 0221, and patent application number 09/498,594, filed February 4, 2000, for "AUTOMATIC ADJUSTABLE BRAKE, CLUTCH AND ACCELERATOR PEDALS", now patent number 6,289,761, as indicated by the assignment records of the U.S. Patent and Trademark Office at Reel 011628 /Frame 0588.

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Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application number 10/087,277, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to

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156, and 173, as presently shortened by any terminal disclaimer, of patent number 6,289,761 which issued from patent application number 09/498,594. Petitioner hereby agrees that any patent so granted on the above-identified patent application number 10/087,277 shall be enforceable only for and during such period that it, and patent number 6,289,761 are commonly owned. This agreement runs with any patent granted on the above-identified patent application number 10/087,277, and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on patent application number 10/087,277 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of patent number 6,289,761, as presently shortened by any terminal disclaimer, in the event that patent number 6,289,761 later expires for failure to pay maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has any or all claims cancelled by reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

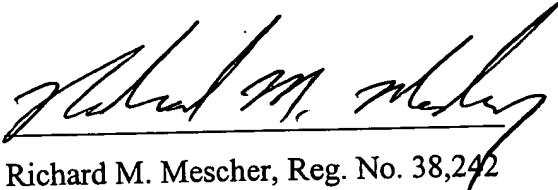
The undersigned is an attorney of record in patent application number 10/087,277 and is empowered to sign this Terminal Disclaimer on behalf of Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

If there are any fees resulting from this communication, please charge same to our  
Deposit Account No. 16-2326.

Respectfully submitted,  
DURA GLOBAL TECHNOLOGIES, INC.

December 27, 2002

  
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